

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION  
THE CREDENTIAL OF : STATE BOARD OF EXAMINERS  
ADAM DOMARADSKY : ORDER OF REVOCATION  
\_\_\_\_\_ : DOCKET NO: 1112-148

At its meeting of December 16, 2011, the State Board of Examiners (Board) reviewed information received from the Office of Criminal History Review (OCHR) regarding Adam Domaradsky. The OCHR notified the Board that Domaradsky was convicted in October 2011 of one count of Endangering the Welfare of Children and one count of Wrongful Impersonation. As a result of the conviction for Endangering the Welfare of Children, Domaradsky was disqualified from public school employment pursuant to *N.J.S.A. 18A:6-7.1 et seq.* Domaradsky currently holds a Substitute Credential, which expires in July 2015.

Domaradsky did not challenge the accuracy of his criminal history record before the Commissioner of Education. Upon review of the above information, the Board voted at its meeting of January 19, 2012 to issue Domaradsky an Order to Show Cause why his credential should not be revoked.

The Board sent Domaradsky the Order to Show Cause by regular and certified mail on January 23, 2012. The Order provided that Domaradsky must file an Answer within 30 days. The certified mail receipt was signed and returned. The regular mail copy was not returned. Domaradsky did not file a response. Thereafter, on March 5, 2012, the Board sent Domaradsky another notice by certified and regular mail providing him an additional 15 days to respond to the Order to Show Cause. The certified mail copy was returned as unclaimed and the regular mail copy was not returned. Domaradsky did not respond to the second notice.

Thereafter, pursuant to *N.J.A.C. 6A:9-17.7(e)*, on March 27, 2012, the Board sent Domaradsky a hearing notice by regular and certified mail. The notice explained that it appeared that no material facts were in dispute. Thus, Domaradsky was offered an opportunity to submit written arguments on the issue of whether the conduct addressed in the Order to Show Cause constituted conduct unbecoming a certificate holder, as well as arguments with regard to the appropriate sanction in the event that the Board

found just cause to take action against his credential. It also explained that, upon review of the charges against him and the legal arguments tendered in his defense, the Board would determine if his disqualifying offense warranted action against his credential. Thereupon, the Board would also determine the appropriate sanction, if any. Domaradsky was also offered the opportunity to appear before the Board to provide testimony on the sanction issue. The certified mail receipt was signed and returned and the regular mail copy was not returned. Once again, Domaradsky did not respond.

The threshold issue before the Board in this matter is whether Domaradsky's conviction and subsequent disqualification constitute conduct unbecoming a certificate holder. Since Domaradsky failed to respond to the Order to Show Cause or the hearing notice, at its meeting of June 21, 2012, the Board considered only the allegations in the Order to Show Cause. The Board determined that no material facts related to Domaradsky's offense were in dispute since he never denied that he had been convicted of the offense charged. Thus, the Board determined that summary decision was appropriate in this matter. *N.J.A.C. 6A:9-17.7(h)*. It is therefore ORDERED that the charges in the Order to Show Cause are deemed admitted for the purpose of this proceeding.

The Board must now determine whether Domaradsky's conviction and resulting disqualification, as set forth in the Order to Show Cause, represent just cause to act against his credential pursuant to *N.J.A.C. 6A:9-17.5*. The Board finds that they do.

In enacting the Criminal History Review statute, *N.J.S.A. 18A:6-7.1 et seq.* in 1986, the Legislature sought to protect public school pupils from contact with individuals whom it deemed to be a danger to them. Individuals convicted of a crime such as Endangering the Welfare of a Child fall squarely within this category. This strong legislative policy statement is in accord with the Commissioner's long-standing belief that teachers must serve as role models for their students. "Teachers... are professional employees to whom the people have entrusted the care and custody of ... school children. This heavy duty requires a degree of self-restraint and controlled behavior rarely requisite to other types of employment." *Tenure of Sammons*, 1972 *S.L.D.* 302, 321. Clearly, Domaradsky's actions here are not those of a role model.

The strong policy statement on the part of the Legislature set forth in *N.J.S.A. 18A:6-7.1(b)* also offers guidance to the Board as to the appropriate sanction in this matter. An individual whose offense is so great that he or she is barred from service in public schools should not be permitted to retain the certificate that authorizes such service. Nor should a person who has been disqualified from teaching in a public school be permitted to continue to hold himself out as a teacher. Thus, because the Legislature considers Domaradsky's offense so significant, the Board believes that the only appropriate sanction in this case is the revocation of Domaradsky's credential. In addition Domaradsky's conviction for Wrongful Impersonation also warrants the revocation of his credential.

Accordingly, on June 21, 2012, the Board voted to revoke Adam Domaradsky's Substitute Credential. On this 26th day of July 2012 the Board voted to adopt its formal written decision and it is therefore ORDERED that the revocation of Adam Domaradsky's credential be effective immediately. It is further ORDERED that Domaradsky return his credential to the Secretary of the State Board of Examiners, Office of Licensure, P.O. Box 500, Trenton, NJ 08625-0500 within 30 days of the mailing date of this decision.

---

Robert R. Higgins, Secretary  
State Board of Examiners

Date of Mailing:

Appeals may be made to the Commissioner of Education pursuant to the provisions of *N.J.S.A. 18A:6-38.4*.